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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,605	02/11/2002	Stephen L. Price	PRICE-001XX	5927
32047	7590	11/17/2004	EXAMINER	
GROSSMAN, TUCKER, PERREAULT & PFLEGER, PLLC 55 SOUTH COMMERCIAL STREET MANCHESTER, NH 03101			FOSTER, ROLAND G	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/073,605	PRICE, STEPHEN L.
	Examiner Roland G. Foster	Art Unit 2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 February 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-14 and 24-30 is/are allowed.
- 6) Claim(s) 15-23 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/11/02 & 10/01/03</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 15 and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Burgess (U.S. Patent No. 6,359,970 B1) (hereinafter “Burgess”).

With respect to claim 15, Burgess discloses a telephone call screening system (abstract), where a preferred call database is established comprising caller identifying information for preferred callers (Fig. 3) selected by a subscriber (col. 9, lines 55-67 and col. 11, lines 52-61). The system includes a means for interrogating the caller for caller ID data that comprises private identifiers such as account numbers and speaker dependent voice data (col. 5, lines 1-20 and lines 45-51).¹ The system stores the private identifiers into a database if the private identifier represents a new record (i.e., new caller registering himself onto the screening system) (col. 6, lines 20-30). The system also searches the preferred caller database to search for said, previously stored private identifiers (account number) in order to determine how to dispose of

¹ Interpreting “private identifiers” as personal account data or even speaker dependent voice data (e.g., voiceprints) is consistent with the applicant’s specification (page 14, paragraph 0034).

the call according to priority data (col. 5, lines 20-32, col. 6, lines 5-25, and col. 10, lines 30-42). Burgess clearly discloses the remaining limitations within the claim.

Claim 21 differs substantively from claim 15 in that claim 21 recites a call processing application that performs functions equivalent to the functions performed by the system of claim 15. Therefore, see the claim 15 rejection for additional details. Further, Burgess discloses a computer based system (Fig. 10) and thus executes a call processing application to perform various functions.

With respect to claim 22, see the claim 15 rejection for additional details. Also, see col. 6, lines 20-30.

With respect to claims 23, see col. 9, lines 10-15.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burgess in view of Newton's Telecom Dictionary, 8th Ed. (ISBN 0-936648-60-0) (hereinafter "Newton").

Claim 17 differs substantively from claim 15 in that claim 17 focuses on the new caller registration process previously discussed in the claim 15 rejection. Therefore, see the claim 15 rejection for additional details. Burgess discloses a caller registration access system (personal computer system) for accessing the database and establishing preferred callers (col. 11, lines 50-60) via a data communication network (i.e., via a coupling to the communications controller 1000 at input port 1013) (col. 11, lines 58-60).

Burgess discloses a single database that performs both the caller registry function (storing the private identifiers for new callers) and selecting the preferred callers (see again the claim 15 rejection above for further details). Thus, Burgess fails to disclose that this single database is broken down into two databases: the caller registry database and the preferred caller database.

However, Newton teaches of a relational database that is comprises of plural data files (databases) that relate to each other (page 864, “relational database”).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to break the single database performing the caller registry function and the preferred caller function into two related databases each performing one of the respective functions as taught by the relational database model of Newton.

The suggestion/motivation for doing so would have been to increase the versatility and universality and simplicity of the database because “[r]elational database differ from non

relational databases in that there are no system dependencies stored within the data... [including no] pointers" (Newton, page 864, "relational database"). Further, the use of relational database would have conformed to industry standards and relied upon readily available components because "[m]ost mini-computers and mainframes today have relational database systems available for business use." Id.

With respect to claim 18, see Fig. 1.

With respect to claim 19, see col. 9, lines 10-15.

With respect to claim 20, see col. 6, lines 1-6 and 20-30.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burgess as applied to claim 15 above.

Burgess fails to disclose a means for "deciphering said private identifiers using an encryption key prior to searching said private identifiers."

However, "Official Notice" is taken that both the concept and advantages of deciphering private identifiers transmitted over a telephone network using an encryption key would have been well known and expected in the art.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add deciphering said private identifiers using an encryption key prior to searching said private identifiers to the system disclosed by Burgess.

The suggestion/motivation for doing so would have been to increase security of information transmitted over the telephone network by encrypting the information and having a decrypting means on the receiving end, as it notoriously well known in the art of secure data transmission.

Allowable Subject Matter

Claims 1-14 and 24-30 are allowed.

Examiner's Reasons for Allowance

Independent claim 1 is directed to a detailed method for screening telephone calls including using separate preferred caller and registry databases, initiating an unidentified caller disposition process if the private identifier is not received within a predetermined period of time.

Burgess is the closest prior art of record as applied above. Burgess discloses all within the claims except separate preferred caller and registry databases. However, Newton teaches of separate, relational databases and this would have been an obvious addition as discussed above.

However, the combination of Burgess in view of Newton still fail to disclose the narrow feature of initiating an unidentified caller disposition process if the private identifier is not received within a predetermined period of time.

The remaining prior art of record fails to teach or fairly suggest adding this narrow feature to the combination of Burgess in view of Newton in order to arrive at the invention as claimed in detail by the applicant.

Independent claims 24, 26, and 28 are directed to a caller screening and registration systems, where the subscriber is allowed to access the caller registry database after verification and where caller-identifying information of the preferred callers selected by the subscriber are transferred to a preferred caller database.

Burgess is the closest prior art of record as applied above. Burgess fails to disclose verifying the subscriber or transferring caller identifying information of the preferred callers selected by the subscriber to the preferred database caller.

Newton teaches of using relational databases (as discussed above), however relational databases efficiently “link” data in related database thus avoiding the need to redundantly “transfer” data between databases as recited in the claims.

The remaining prior art of record fails to teach or fairly suggest substantially modifying Burgess or the combination of Burgess in view of Newton to require the transfer of data between related databases in order to arrive at the invention as claimed by the applicant.

The above reasons for allowance are based on the claims as presently set forth in their totality. The above reasons for allowance should not be interpreted as indicating that amended claims broadly reciting certain limitations discussed in the above reasons for allowance would be allowable. A more detailed reasons for allowance may be set forth in a subsequent Notice of Allowance if and when all claims in the application are put into a condition for allowance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.



Roland G. Foster
Primary Patent Examiner
November 14, 2004